

TOWN OF NEWSTEAD – ZONING BOARD OF APPEALS
MINUTES of August 24, 2006

Present: Bill Kaufman
Dave Wakeman
John Klodzinski
Peter Randall
Corky Keppler
Rebecca Baker – Zoning Officer
John Good – Code Enforcement Officer
Jennifer Heberling – Recording Secretary

Bill called the meeting to order at 7:35 PM and led the Pledge of Allegiance to the American flag.

Proof of legal notice read by Zoning Board Clerk.

Use Variance Request – Knapp Road – John Randall

Fred Pask – 102 Golden Pond Estates, Akron, NY 14001 – authorized representative for Mr. Randall. Parcel is to the west of the substation. There is 430 feet of frontage for that specific parcel. Mr. Randall owns the duplexes across the street from this parcel. Mr. Randall has not approached the Town Board about having the property rezoned. Mr. Pask felt that the Zoning Board would be an easier route to take. Being adjacent to the substation makes it not suitable for residential and the soil survey shows the property is not good for crops. The SEQR form has been completed and was turned in at this meeting. Mr. Pask stated there would be no outside storage. Everything would be contained inside and would be completely fenced in with a gravel driveway. He would like 96 units maximum. Mr. Pask didn't have an idea on square footage yet. The Zoning Officer stated that if the variance was granted, the next step would be the Planning Board for site plan application. This parcel is not in the flood zone.

Since no one else appeared to speak, the public hearing was closed at 7:45PM.

Bill stated there is Industrial Zone across the street. Bill feels that the ZBA should be the last resort, not the first. Mr. Pask gave new pictures and maps of the parcel. Copies will be distributed to the ZBA.

Corky made a motion to table request for 30 days, seconded by Dave.

Bill – Aye
Dave – Aye
John – Aye
Corky – Aye
Peter – Aye

Tabled Use Variance Request - 13399 Main Road – Della DeMaio

Bill asked if Mrs. DeMaio came up with any procedures. Mrs. DeMaio's son-in-law spoke and asked how this situation came about. There is a white trailer on the property they are trying to get rid of. It is in their contract that if after 30 days without payment, Ed's Auto in Ransomville comes and tows the vehicles. Bill found out that other storage facilities require the registration, copy of the title and must be driveable.

Bill stopped by Newstead Self Storage prior to the meeting and as of 08/25/2006 there were 14 vehicles – only 3 of which had plates. Bill stated that if the variance was granted, there would be conditions. Some possible conditions are proof of ownership, contact information, etc. Newstead Self Storage does not have a specific contract for storing cars. They are currently using the same contract as indoor self storage units. Some of the people pay by month and some every 6 months for outside vehicle storage.

Bill stated the Board will probably require fence screening, they will limit the amount of vehicles, etc. Bill asked Mrs. DeMaio if she can come back with a business plan. Mrs. DeMaio's son-in-law stated that any new vehicles will require plates, a registration and be in running condition. Bill would like to have something to this effect in writing. Bill also wants to know what the plan would be to deal with unlicensed vehicles in the future. Mrs. DeMaio's son-in-law will make some phone calls and will work on revising the contract.

Dave asked what the son-in-law's thought was on blacktopping the portion of the parking lot where the vehicles are stored.

There are currently 16 slots to park vehicles.

Bill's concern is that there doesn't seem to be any control over what is already there.

Dave made a motion to table for 7 days awaiting information from Mrs. DeMaio, Bill seconded.

Bill – Aye

Dave – Aye

Peter – Aye

John – Aye

Corky – Aye

Motion made by Bill to accept the minutes of 7/27/2006, seconded by Dave and all in favor.

Peter motioned to adjourn the meeting at 8:45PM, seconded by John and all approved.

Respectfully Submitted,

Jennifer L. Heberling

Recording Secretary